

Tenant Action News

Serving Tenants in the Greater Newark Area

Vol. 7 No. 2

Summer 1997



**Marching, Meeting, and Working to
Save Our Homes**

Around Town

Colonnades Apartments

Colonnades Apartments management installed new washers and driers - but not as many as there should have been. One of the towers, 25 Clifton Avenue, does not have a ramp in front or back of the building for seniors or disabled residents to use.

Garden Spires Apartments

Tenants thanked Senator Ronald Rice for his intervention in a dangerous traffic situation caused by construction of a new ramp for Rt. 280 near the building. Residents are continuing to organize with help from HTC to deal with the continuing problems in the building, particularly the elevators not working.

Roberto Clemente Shalom Towers

Roberto Clemente Shalom Towers had a candidacy night for the gubernatorial candidates on May 28, to hear candidates views on the schools, welfare reform, housing, taxes and other state issues that concern the community.



Aspen Riverpark tenants listen during a recent tenant association meeting with the owner of their building and a representative from HUD.

Aspen Riverpark Apartments

Aspen Riverpark Apartments residents finally got elevator service in one section of their building which was without service for 3 months, after the tenants called a meeting with the owners, management and HUD. HUD responded to numerous resident complaints by doing an inspection in the building. Tenants are continuing to meet.

Meanwhile the "Saturday SuperKids Program" held a very fun talent show at the building, where many of the young people performed. The show included singers, dancers, a magician, a clown, jump rope routines, and even a boxing nun. The Aspen SuperKids Program runs with the help of the St. Stephan's United Church of Christ in Newark and First Congregational United Church of Christ in Westfield.

Around Town

2 West Kinney St.

The Tenant Association is working for improvements in the building. Workmen have come in to deal with extermination problems. The parking lot was also cleaned up, and the City responded to pressure from residents and cleaned up the vacant lot behind the building.

Victory Gardens

Some residents of Victory Gardens, a development built by the City of Newark, say that there are many problems at the townhouses. In one person's home, carpeting is coming up, grease from contractors is all over, water is coming through heat vents, the patio is falling apart and basement lights go out constantly. Some residents have complained but nothing was done.

Hill Manor Apartments

Approximately 40 families are still living at Hill Manor Apartments because they have not yet located decent quality affordable apartments to move to. After a fire on April 13, 1997, residents were told that they would receive vouchers from HUD, and would be relocated. Some residents have moved to less than desirable apartments in other complexes in Newark. HUD, which holds the mortgage on the building, has proceeded with foreclosure proceedings against Vincent Lane, the owner of the building, who declared bankruptcy.

Georgia King Village

Georgia King Village is holding a Youth Day on June 30. The annual Georgia King Village Day is August 30th.



Frank Hutchins from the HUD Tenants' Coalition recently attended a residents meeting at New Hope Village to speak with tenants about the letter writing campaign to federal representatives to save Section 8 and Public Housing programs. Shown above, is Maude Davis, a spokesperson for New Hope Village Apartments, attending a HUD Tenant's Coalition Forum.

Zion Towers

Tenants at Zion Towers have been fighting still another rent increase. Working with HTC, they have made the case for why the process which resulted in their rent increase was illegal to HUD., and to the New Jersey Housing & Mortgage Finance Agency. Some of the problems with this rent increase were that the NJHFMA notified the manager to request an increase, that the numbers which the rent increase application includes do not justify the increase and that the reasons for awarding an increase were changed without notifying the residents.

What We Must Do

Below are sections from a talk given by Cynthia Pullen, Board member for HUD Tenants' Coalition, at a workshop on the changes in Federal Housing Policy.

When you listen to what Congress is thinking of doing to housing policy, you may say what can we do? But this is not a time for sitting back. When people are backed into a corner, they have to come out fighting. Here is some of what we must do:

1. Organize!
2. Register to vote and vote intelligently. You should know where the person you are voting for stands on housing issues.
3. Make your politicians accountable. If they make promises, hold them to them.
4. Join forces with other tenant groups through the HUD Tenants' Coalition.
5. Put yourself at the table where decisions are made. Increase our numbers. It increases our power and our voice.
6. Be informed about housing policy. Attend workshops to hear about new regulations and changes. Read about them.
7. Write letters to the editor of the local newspaper so that society as a whole sees the lack of affordable housing as a problem. We need to make our concerns society's concerns.
8. Educate others. Share information with tenants who you know. Knock on their doors. Talk to others in your building, your PTA, your church.
9. Have face to face meetings with legislators, so they can see that their decisions affect real people.
10. Contact your elected officials. Make sure our issues are getting on their agenda.
11. Increase our fund-raising efforts so that the work of the HUD Tenants Coalition can continue.
12. Talk about our success. When we win a fight, when we make progress, let us advertise it.
13. Hold ourselves, and our owners and managers accountable for the improvement and



Cynthia Pullen

14. maintenance of our homes.
Organize, organize, organize.



FREE

Summer Workshops For Tenants

- ◆ Recertification
- ◆ Organizing Your Tenants' Association
- ◆ Code Enforcement: Getting Repairs Made

**Second Saturdays in June, July, August
9:00 AM to 12 Noon
Seton Hall Law School, Newark**

Pre-registration required. Call (201) 643-7711.

Changing Federal Housing Policy

What is Congress doing to our homes? Federal housing policy keeps changing. One of the ways to keep up with it is the HUD Tenants Coalition workshops on Changing Federal Housing Policy. The most recent of these was May 15, when Marc Granowitter from the National Low Income Housing Coalition spoke at Grace Church, Newark.

Mr. Granowitter talked about a number of Congress' recurring themes for the last few years such as Balance the Budget, "Deregulate HUD", Decentralize HUD, and Voucherization.

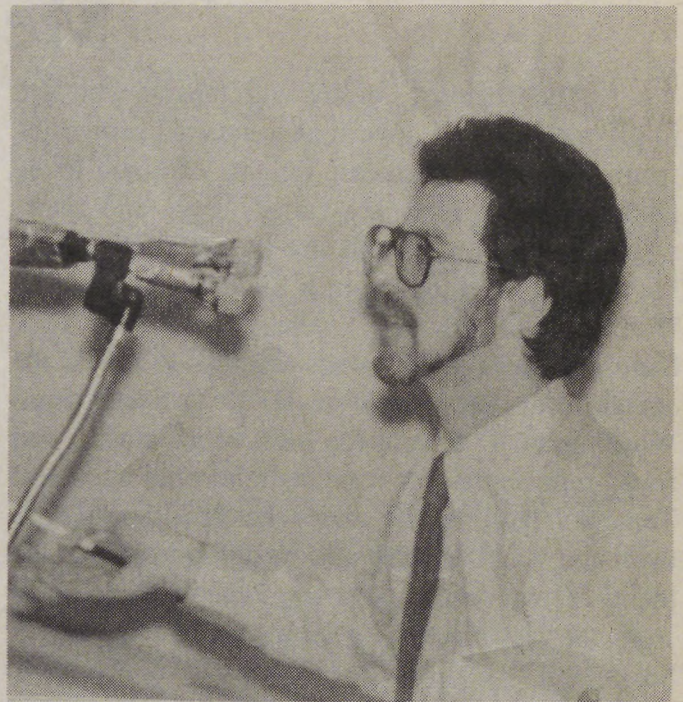
The result of how these themes have been played out is that tenants in Section 8 housing, Public Housing, and privately owned government-subsidized buildings are in for some changes and could lose their homes - unless they organize!

HUD will need \$20 billion to fund existing Section 8 subsidies by the year 2002. That is the same amount as the entire HUD budget currently! Congress will need to be told to take money from somewhere else for Section 8 and other affordable housing programs. Mr. Granowitter said Congress could take money from the defense budget, or the "corporate welfare" system where rich corporations get tax breaks.

"We did it before. During the welfare rights movement, we went to Washington, D.C. and we demanded things," said Maude Davis. "We have to unite and do it again. The government will only do what we make them do."

Section 8 buildings

Mr. Granowitter said that HUD wants to give the rents a "haircut", that is to cut rents in buildings where tenants are paying more than 120% of the Fair Market Rent. HUD hopes to eliminate the debt in the buildings by paying for it out of the insurance fund. A small number of buildings around the country, including Center City and Essex Plaza in Newark, are part of or applying for a demonstration program to allow owners to try "new and innovate" approaches to making their buildings work financially. There are many questions such as will the buildings be "targeted", that is, an attempt to draw different income levels of people, will vouchers be made available to



In two forums, winter 1996 and spring 1997, HTC has brought information about the changes in federal housing policy to tenants. Shown above is Woody Widrow, who spoke Dec. 7, 1996 at Seton Hall Law School. Marc Granowitter from the National Low Income Housing Coalition spoke May 15, 1997 (see article).

all, and, very important, what will the rents be?

Public Housing

Mr. Granowitter talked about HR2 (House bill) and S462 (Senate) which address many of the same issues for residents of public housing. Who will live in public housing? Who will get vouchers? What kinds of procedures will tenants have, such as grievance procedures? What about replacement policies for public housing units which are demolished? All of these issues are being decided by Congress this spring.

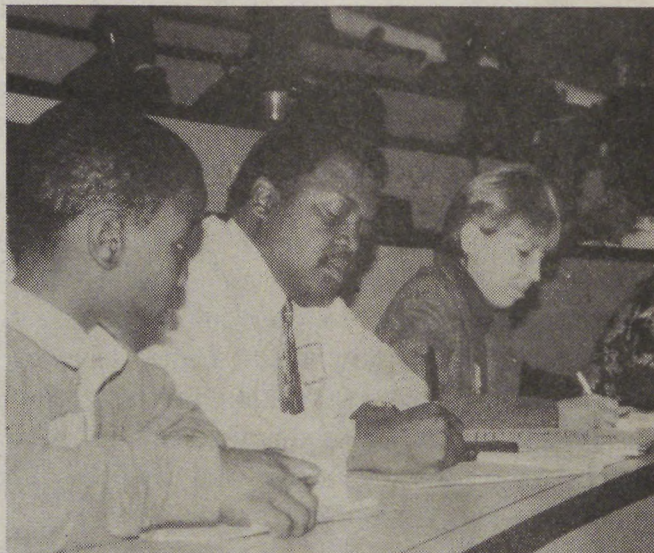
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Regional Forums: "Eyes and Ears" Meetings

The Regional Forums with tenants who live in privately-owned government-assisted properties from the entire Northeast Region continue to be held quarterly. They are called "Eyes and Ears" meetings, because tenants are the ones who really know what is going on in a building, and can be HUD's "Eyes and Ears." Tenants from New York State and New Jersey work together to create the agendas for the meetings. HUD Officials from Washington, D.C. and the local office attend, and so do representatives from state housing agencies. Tenants talk about the issues that are important to them and what HUD should be doing to help solve them. Shown on this page are some of the pictures from the last meeting in Newark, October 19, at Seton Hall Law School:



Listening to tenants presentations at the meeting are Connie Loukatos from the local HUD Office, and Chris Greer, Secretary of Multi-Family Housing Programs in Washington, D.C.



Tenants take notes during the October 19 Regional Forum in Newark.



Frank Hutchins from the HUD Tenants Coalition chairs a session. Also pictured (seated) are (left to right): Cynthia Pullen HTC, Louise Sanchez, and Bill Good from HTC.

City Council Passes "Shut Up" Ordinance

A number of HTC members, and other individuals and groups, spoke out against a new city ordinance which cancels the citizens hearing part of City Council meetings, and replaces it with non-voting meetings ("gripe sessions", one person called them) in each ward. In spite of the opposition, the City Council approved the ordinance. Only Mildred Crump, Donald Tucker, and Ronald Rice voted against the ordinance.

Lawrence Hall, in a column in the Star Ledger on May 12, wrote, "Council members who approved the move have forgotten that part of their job is to listen to and weigh the opinions of their constituents...People are left with the distinct impression that the council no longer wants them to have a say in the affairs of their city...Public input is frowned upon by the administration, and people have a feeling of powerlessness."

A Star Ledger editorial said, "In a city where there are lots of complaints about residents' apathy, more opportunity to participate is required, not less. It

is easy to become apathetic when you get the clear message that the folks in charge don't care what you think and don't want to listen to what you have to say - and that is what this change says, loud and clear...Listening to the people four times a month is not a lot to ask from a council that takes home bigger checks and gets more perks than almost any other town council in the country."

¿Habla Espanol?

You don't, but others in your building do? Fact sheets, videotapes, and Truth in Renting books are available in Spanish. Contact 589-3353 for Spanish tenant education materials for residents of your building.

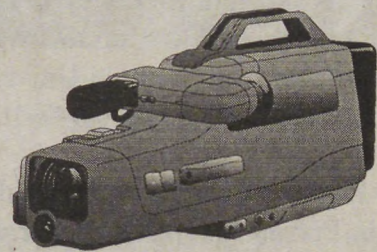
"Housing is a Human Right"

On Cable Channel 26

Wednesdays 8:00-8:30PM

•Upcoming Shows:

- ▶Tenant's Rights
- ▶Changing Government Housing Policies
 - ▶Getting Repairs Made
 - ▶Effective Tenant Organizing



Resources

The following are available from the HUD Tenants' Coalition. To order, call 589-3353 or 643-7711:

* **Know Your Rights Fact Sheets.** These 2 fact sheets cover tenants rights on eviction, and most of the local ordinances in Newark. They are free.

* **Truth In Renting Law.** This booklet covers the state laws which apply to tenants. Available for its cost, \$1. It is also available in Spanish.

* **Knowing Where To Call.** A five page list of key phone numbers for tenants in Newark. Free *while they last*.

* **Recertification.** This booklet was developed for a workshop and includes a summary of common questions and important documents during your recertification process. \$1 for duplication.

* **New HUD pamphlet on tenants rights, and new HUD manager's handbook.** The pamphlet contains great information about your rights in HUD-assisted housing. The handbook contains the most current information, and this time tenants helped write it, so it should be helpful. It is unsure at press time exactly how to get these, but they do exist.

* **No Easy Walk, Newark, 1980-1993.** Book of photographs of Newark's Central Ward by Helen Stummer available from Temple University Press for \$20.00 plus postage. Call 1-800-447-1656.

* **Tenants Rights Manual: A Manual For Tenants Who Live in Privately Owned, Federally Subsidized Housing** (April 1992). This 161 book includes chapters on: HUD Housing Programs (definitions of terms of all major HUD-subsidized programs), Leases, Discrimination, Rents, Rent Increases, Tenant Organizing, Evictions, and many other topics. Copies are available from the Low Income Housing Information Service, 1012-14th St., N.W. Washington, DC 20005, (201) 662-1530. The cost is \$10 to members of LIHIS, \$20 to all others. Prepayment is required.

Call the local HUD Office, 622-7900.

Numbers Every Tenant Should Know...

- Newark Rent Control Board
Staff: 733-3675
Administrator: 733-6362
Copies of rent control ordinance.
- Rutgers Urban Legal Clinic
15 Washington St.
648-5576
- Newark City Clerk's Office
733-3844 or 733-3669.
To find out about city ordinances.
- Landlord Tenant Court
621-5343 or 621-5346.
- Essex-Newark Legal Services
106 Halsey St.
624-4500
- Essex-Newark Legal Services
Senior Citizen Unit
672-3838,-3839,-3840,3895.
- Rutgers Legal Aid Clinic
15 Washington St.
624-5300
- Newark Offices of Code Enforcement
733-6470,733-6471,733-6481
- Newark Municipal Council
733-3788

Groups Working With Tenants

- * **Coalition To Save Rent Control**
Frank Hutchins, 643-7711
- * **HUD Tenants' Coalition**
Bill Good, Jeanette Miller 643-7711
Nancy Zak, 589-3353
Tashana Parrish, 344-7210

HUD Tenants' Coalition Organizing With Tenants

"This group is keeping tenants aware of what is happening - and knowing about things is the first step in getting involved, and changing them."

This is what one tenant said recently about the HUD Tenants' Coalition, the group which organizes residents in privately-owned government-assisted buildings in Newark.

Some of the things which HTC has been doing recently include:

- Sponsoring two forums on changing federal housing policy, and working with Newark tenants to design a strategy to preserve affordable housing. (see

What you get if you join HTC:

HTC helps tenant organizations:

- ◆ get started and continue to be effective (write by-laws, hold elections, etc).
- ◆ monthly meetings to share strategies
- ◆ Tenant Action News - the only newspaper for tenants
- ◆ help in fighting harassment by managers/owners, illegal rent increases, etc.
- ◆ workshops at Seton Hall Law School

article p 5).

- Regional Forums with local and federal HUD offices, co-sponsored with tenants from New York State (see article p. 6).

- Meetings with Director Timothy Touhey and Assemblyman John Kelly, Chairperson of the state's Housing Committee, focusing on rent increase procedures which are having a negative impact on residents.

HTC staff and members also were at:

- the National Low Income Housing Coalition meeting in Washington, D.C.

- Legal Services of New Jersey training on welfare reform

- A Board retreat facilitated by Rutgers University Center for Social and Community Development

- The May 7 City Council meeting, where residents spoke out against a new city ordinance (see article p.7).

Most important, HTC has been working with and advising tenants around the city, and attending many meetings. HTC is assisting residents who are doing some great organizing in their buildings. HTC staff are currently focusing on work at Garden Spires, Spruce Spires, Center City Housing buildings, and Aspen Riverpark Apartments.

As they approach their tenth anniversary, HTC has grown from 8 to over 20 member complexes around the city.



How do you join?

Individual membership is \$5.00; Building membership is \$25. Make checks out to:

HUD Tenants' Coalition (mark check: for membership dues); and send to 95 Fleming Ave., Newark, N.J. 07105

For more information call: 643-7711, 643-7712.



HTC Meets With HUD & NJHFMA

*Members of the **HUD Tenants' Coalition** held a meeting on May 15, 1997 with Director Timothy Touhey of the New Jersey Housing & Mortgage Finance Agency (NJHFMA) and Connie Loukatos, Director of Multi-Family Programs, Newark office of the Department of Housing and Urban Development. The meeting covered a variety of issues, including rent increase procedures, tenant harassment, inspection of buildings, tenant evaluation of managers and service contractors, and ongoing communication between all involved to improve living conditions in the building. Shown above, (left to right), Ethel Ellis, Sam Rivers, Frank Hutchins, Bill Good, Conie Loukatos, Milton Zisman, Timothy Touhey, Frank Morris, Walter Washington (partially hidden), Elaine Sewell, Janice Adams, Francis Thomas, Juan Haro, and Jeanette Miller.*

Thank You!

Special thanks to the following organizations and individuals for their recent financial or other support:

United Church of Christ, Newark Coalition for Neighborhoods, Campaign for Human Development, St. Stephan's United Church of Christ in Newark, United Church of Christ of Westfield, N.J., the IOLTA FUND, Ironbound Community Corporation, Metropolitan Ecumenical Ministry, the Funding Exchange, Essex Newark Legal Services, Suburban Housing Corp., Milton Zisman, Rutgers Law School, Seton Hall Center for Social Justice, the Vista Program, the Sisters of St. Francis Social Justice Fund, the Unitarian Universalist Social Justice Fund and the Marianist Sharing Fund..

Correction: Window Guards

In the last issue of *Tenant Action News*, it was stated that those interested in the state ordinance about window guards should contact the state's Code Assistance Department. The correct Department and phone number for this information is the Bureau of Housing Inspections: 609-530-8793. The law requires that window guards be installed and maintained in rental units above the first floor in which children age 10 years or younger reside. The law says tenants must ask for the window guards.

Federal Housing Policy

Continued from page 5

What To Do?

The two major things residents must get Congress to do is to increase the HUD budget for Section 8 and Public housing, and target more money for very low income people.

How to do that?

There are many strategies, including: petitions, letter writing, demonstrations, meetings with Congressional representatives, making these issues election issues, etc. HTC intends to use all these strategies, and work with residents in whatever ways we can to preserve decent, affordable housing for low income residents. HTC has already begun a letter-writing campaign. Call for a sample letter to send to your Congressional Representatives.

For more information about changes in federal housing policy, contact the HUD Tenants Coalition, 643-7711.

HTC Board Training

Board members from the HUD Tenants Coalition enjoyed an overnight amid the trees and flowers on the Rutgers campus in Parsippany for part of their Board training process, working along with Bill Tatum, from the Center for Social and Community Development School of Social Work of Rutgers University of New Jersey.



"If Section 8 contracts are allowed to lapse hundreds of thousands of elderly, children and disabled American would be pushed into homeless shelters and onto the streets and grates of our communities."

Andrew Cuomo, secretary of the Department of Housing & Urban Development, quoted in the Star Ledger, May 9, 1997

Affordable Housing Platform of New Jersey

The Affordable Housing Network sent its platform for "decent, affordable housing" to all New Jersey candidates for state Senate and Assembly seats. The Network will be publishing a "scorecard" of the results. You can obtain a copy to see how candidates in your district responded by calling the HTC office at (201) 643-7711. The primary election is June 3. General Election is Nov. 4.

The platform reads in part: "Decent, affordable housing for all New Jersey's residents is essential to the state's social and economic well-being...New Jersey has among the highest housing costs in the nation...With severe cuts in federal housing progress, more action must be taken by the state to address the need for affordable housing and for the redevelopment of lower income communities."

Tenants should make sure candidates they will be voting for support the N.J. Housing Coalition.

Tenants Have The Right To Organize!

Do you know that you have the right to organize tenants in your building, without interference?

As one result of the Regional Forums, HUD has issued several memos to managers and owners about tenants rights to organize. One memo issued in Nov. 1996 by Chris Greer states:

HUD expects owners and their management agents to build good resident/management relations. The participation and cooperation of residents is important in creating a suitable living environment and can contribute to the successful operation of these properties...

The memo goes on to state that:

- ▶ Owners are specifically expected to provide an accessible meeting space within the premises of the development for legitimate resident associations to hold meetings.
- ▶ Managers and owners cannot send management representatives to resident meetings when they have not been requested to attend
- ▶ Evicting, threatening to evict, or penalizing residents for organizing or asserting their rights is not allowed
- ▶ Attempting to influence resident leaders by offering individual inducements such as employment, preferential transfers, rent abatements, favored repairs, or other benefits not available to all is not allowed.
- ▶ Sexual harassment is not allowed.

New Jersey state laws also say you cannot be evicted for organizing a tenant association, or working to improve conditions in your building.

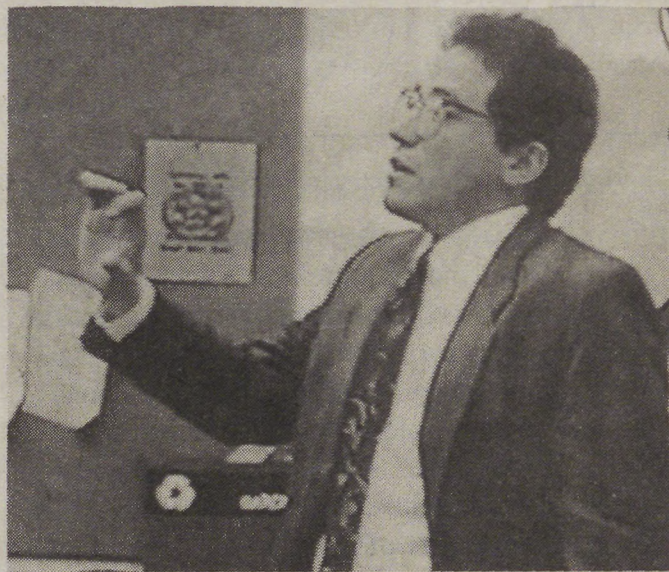
A brochure about tenant rights is supposed to be provided each year to the tenants by the owners or managers in the language tenants speak, either when

the lease is signed or at the recertification interview. *Are you getting yours?*

Election Season Thought

A question tenants ask frequently: Why do large apartment complexes, which get state and/or federal subsidies, allow some candidates, but not all, to distribute or post their election material?

State officials have told HTC that the process is supposed to be fair to all candidates, and federal officials have said there should be no campaign material posted at all. Yet election after election, certain candidates get access, and others don't. Why?



Cesar Torres , Director of the Housing Unit of Essex-Newark Legal Services, makes a point during a presentation at a tenant rights workshop sponsored by the HUD Tenants Coalition.

TENANTS: ACTION NEEDED!

Important votes are taking place about 2 issues which would hurt tenants. They are:

- Senate bill 1506 (Assembly bill 1947) would eliminate the property tax rebate for tenants. Currently, if the landlord's taxes go down, some of the savings goes to tenants.
- Senate bill 1167 (Assembly bill 537) would eliminate about 50% of the eviction protection for tenants. In single family homes, and four family homes and less where the landlord says his relatives are moving in, only 2 months notice will be required to evict tenants.

Tenants have been calling Senator Ronald Rice (201) 371-5665, Senator James McGreevey (908) 634-2526, and Senator John Lynch (908) 249-5440 to tell them to vote no on these bills. When you read this you should call to find out if calls are still needed to stop these bills: (201) 643-7711.

Help Build Tenant Power In Newark!

The **Coalition To Save Rent Control (CTSRC)** & the **HUD Tenants' Coalition** have been volunteer organizations that help provide information on tenant rights and assists individual tenants in organizing their buildings. Clip this coupon and return it with any amount of money you can contribute to help continue this work.

- ☐ Here's my \$5 donation to this newsletter, keep it coming.
- ☐ I can't afford to subscribe, but keep me on the mailing list.
- ☐ Here's my subscription and a donation to help work for Tenant Awareness and Rights in Newark.
- ☐ \$10 ☐ \$20 ☐ \$25 ☐ other \$_____

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____

Checks should be made out to:

NCN - Tenant Project

and sent to NCN, 944 Broad St., Newark, N.J. 07102

¿Que esta haciendo el Congreso Federal acerca de nuestra vivienda?

¿Que esta haciendo el Congreso Federal acerca de nuestra vivienda? Las leyes Federales de vivienda siguen cambiando. Una manera de estar al tanto es por medio de atender los talleres del HUD Tenants Coalition acerca de los cambios de las leyes Federales de vivienda. El mas reciente taller fue presentado el 15 de Mayo donde hablo Marc Granowitter del grupo nacional, National Low Income Housing Coalition en la Iglesia Grace en Newark.

El Señor Granowitter hablo acerca de numerosos temas del Congreso de los ultimos anos como el de el Balance del Presupuesto, la "Deregulacion de HUD", la Decentralizacion de HUD y certificados temporarios que en algunos casos replazaran a los certificados de Seccion 8.

Los resultados de como estos temas pueden impactar a inquilinos de vivienda de Seccion 8, Vivienda Publica y edificios de duenos privados que reciben fondos gubernamentales incluye la perdida de sus viviendas pero esto puede cambiar si uno se organiza!

HUD va necesitar \$20 billones para cubrir los subsidios que ya existen de Seccion 8 para el año 2002. Esto es la misma cantidad que el presupuesto presente de HUD! Se le va necesitar decir al Congreso que tomen dinero de otro lugar para la Seccion 8 y otros programas de vivienda de bajos ingresos.

El Señor Granowitter dijo que el Congreso puede tomar dinero del presupuesto de defensa o del sistema del "welfare para corporaciones" donde corporaciones ricas reciben rebajas de impuestos.

"Lo hicimos antes. Durante el movimiento de derechos del welfare, fuimos a Washington, D.C. y exigimos cosas", dijo Maude Davis. "Tenemos que unirnos y hacerlo de nuevo. El gobierno no mas va hacer lo que los hagamos hacer".

Edificios de Seccion 8

El Señor Granowitter dijo que HUD quiere cortar las rentas a edificios donde inquilinos estan pagando mas que 120 % del promedio de renta en su area. HUD tiene esperanzas de eliminar la deuda en los edificios por pagar por ellos del fondo de seguridad. Algunos edificios en este pais incluyendo a Center City y Essex Plaza de Newark, son parte de o estan aplicando para el programa de demostración para dejar a dueños que traten maneras "nuevas e inovadoras" para hacer que los edificios funcionen economicamente. Hay muchas preguntas como si los edificios seran "escogidos" basados al nivel de ingreso de los inquilinos, si habra certificados temporarios para todos y, muy importante, cuanto seran las rentas?

Vivienda Publica

El Señor Granowitter hablo acerca de la propuesta congresional HR2 y S462 que cubre muchos de los mismos temas para residentes de Vivienda Publica. Quien vivira en vivienda publica? Quien obtendra certificados temporarios? Que tipo de procesos de reclamos tendran los inquilinos? Habra vivienda para reemplazar Vivienda Publica que sera destruida? Todos estos temas seran decididos por el Congreso.

Que Hacer?

Las dos mayores cosas que residentes tienen que hacer que haga el Congreso es incrementar el presupuesto de HUD para Seccion 8 y Vivienda Publica y que ponga mas dinero para gente de muy bajos ingresos.

Como hacer eso?

Hay muchas estrategias, incluyendo: peticiones, escribir cartas, manifestaciones, reuniones con representantes del Congreso, hacer que estos temas sean temas de elección, etc. El grupo comunitario HUD Tenant Coalition intenta usar todas estas estrategias y trabajar con residentes en cualquier manera para preservar decente vivienda de bajos ingresos para inquilinos de bajos ingresos.

Para mas información acerca de los cambios en las leyes Federales de vivienda, llame al HUD Tenants Coalition al (201) 643-7711.



Que obtiene si se hace miembro de HTC:

HTC ayuda a organizaciones de inquilinos:

- ◆ ayudar a iniciarse y seguir siendo efectivo (escribir las reglas de la organización, tener elecciones, etc.)
- ◆ reuniones mensuales para compartir estrategias
- ◆ Noticias de Acción de Inquilinos - el unico periodico para inquilinos
- ◆ ayudar en luchar contra el hostigamiento de dueños, incremento de renta ilegales, etc.
- ◆ talleres en la escuela de leyes Seton Hall

Essex Newark Servicios Legales
624-4500

Rutgers Urban Clinica Legal
648-5576

Rutgers Clinica de Ayuda Legal
624-5300

HUD Tenants' Coalition
643-7711

Ciudad de Newark

Junta de Rentas Controladas
733-3675
Coacción Codigo
733-6471
Ayuda de Calefacción
733-6471, 6481



Como se hace uno miembro?

Miembrecia individual es \$5.00;
Miembrecia del edificio es \$25. Haga el cheque a:

HUD Tenants' Coalition
(marque el cheque: for membership dues)
y mandelo a

95 Fleming Ave.,
Newark NJ 07105

Para mas información llame a: (201)
643-7711 o 643-7712

Conoce Tus Derechos Salvando Su Casa

El Coalición de los Inquilinos de Edificios de HUD (HUD Tenants' Coalition) le sugieren que se busque un abogado si quiere pelear por un desahucio. El casero seguramente tiene su abogado. El casero es inteligente y sabe que un abogado puede mas que el mismo.

Posiblemente te han dicho que tu puedes ir a la corte y hablar por ti mismo. Puede que alguien te halla dicho que te van a ayudar a llenar los papeles legales. Te pueden decir que el caso es simple y que no necesitas un abogado.

Nuestra experiencia nos dice que las ventajas de ganar son mas altas si tu tienes un abogado contigo en corte. Si no puedes pagar un abogado, podrías ser elegible para que un abogado de Servicios Legales te represente en corte.

Llamen o pueden visitar para descubrir si usted son elegible para servicios legales gratis. Si tu eres elegible para Servicios Legales gratis, asegúrate de obtenerlos. Hemos oído historias de inquilinos los cuales han ido tu caso es muy simple, que no necesitas un abogado, que te eres suficientemente inteligente para llevar el caso tu mismo, etc. Si legalmente necesitas un abogado porque cualificas por tus ingresos bajos, asegúrate que un abogado te acompañe en corte. No aceptes substitutos. Si los abogados están muy ocupados, dile que hablen con el Juez y que pospongan el caso.

Esto es un versión editada en un artículo escrito por Felipe Chevana, Director de Servicios Legales de Newark y Connie Pascale, que apareció en Buscando Por Tus Derechos Legales, Nov. 1989:

La única persona que legalmente puede desahuciarte de tu apartamentos es un alguacil, un oficial de la corte y debe tener una garantía para mudanza emitida por el juez. El juez puede emitir la garantía después de una vista en corte donde el dueño ha demostrado bajo los factores del caso y las leyes de desahucio, el tiene el derecho de desahuciarte. Tu tienes que recibir con anticipación la noticia para la cita en

corte donde tu debes presentarte ante el juez para pelear por los derechos de desahucio por parte del dueño.

Hay 13 razones para desahucio bajo la Ley de Desahucio de New Jersey. Estas aplican si la propiedad que ha sido rentada es una casa o apartamento. Esto no aplica a casas de tres apartamentos o varios donde el dueño ocupa uno de los apartamentos. La ley también aplica a casas bordantes donde se renta a inquilinos permanentes. Si esta ley te cubre, tu no serás desahuciado a menos que:

- 1) No pagues renta.
- 2) Seas desordenado, hagas mucho ruido y molestes a los vecinos (después de haber ignorado una nota escrita por el dueño donde te pide que pares los ruidos).
- 3) Destruir la propiedad del dueño.
- 4) Romper las reglas, si han sido aceptadas por escrito (después de haber ignorado la nota por escrito por parte del dueño).
- 5) Romper cualquier acuerdo en el arrendamiento ((lease) si el acuerdo es razonable.
- 6) No pagar el aumento legal después que el dueño te da una noticia legal sobre el aumento de renta.
- 7) Si el casero como dueño:
 - a. Quiere hospedar o destruir el edificio que ha sido encontrado con violaciones bajo el código municipal o estatal.
 - b. Quiere hacer reparaciones que pueden afectar tu salud y seguridad y que los arreglos no se pueden hacer mientras tu ocupas el apartamento.
 - c. Ha sido notificado por un supervisor de vivienda que tienes inquilinos en exceso o que tiene apartamentos ilegalmente, y para esto el casero pida uno o mas inquilinos que se muden.
 - d. Es una agencia de gobierno que quiere cerrar el edificio como parte del programa de Renovación Urbana.



Una de los muchos inquilinos que atendieron el reunión acerca de los cambios en las políticas de viviendas de gobierno federal.

Nota: El inquilino que ha sido llevado a corte por alguna de las razones en 7a, b, c, o d, indicado arriba no puede ser desahuciado hasta que no se le de asistencia para mudarse. Esto puede incluir gastos de mudanza, ayudar a conseguir un apartamento y pagos para asistencia de la renta.

8) Si el casero (dueño) quiere retirar permanente la casa o apartamento de uso residencial.

Nota: El casero tiene que dar la noticia 18 meses antes. La noticia tiene que decir en detalles cuales son los planes para con el edificio. Si el no te notifica, no puede desahuciarte. El casero tienes además que enseñar que tiene todos los permisos y a probaciones necesarias.

9) No aceptando cambios en el arrendamiento que sean razonables. Para cambiar algo el casero tiene que seguir los pasos adecuados. El arrendamiento se puede cambiar solo cuando termina.

10) Pagar la renta tarde mes por mes (solo si el casero te ha enviado una nota escrita advirtiéndote que pares de pagar la renta tarde y tu lo has seguido haciendo por una o dos veces mas después de haber recibido la noticia).

11) El casero quiere hacer el apartamento en un condominio o cooperativas.

12) El casero como dueño del edificio que ha sido cambiado a condominio quiere vender tu apartamento a un comprador que quiere mudarse al apartamento.

a. El dueño de tres o mas apartamentos condominios quiere mudarse al apartamento tuyo o esta vendiendo a un comprador que quiere mudarse de inmediato.

b. El dueño de una casa de vivienda sencilla o un edificio de tres o mas apartamentos quiere mudarse a la casa o apartamentos o vende a alguien que quiere mudarse de inmediato (El contrato de venta debe llamar por la casa o apartamento vació en el momento de cierre).

13. Tu obtuviste el apartamento como trabajo de super y el trabajo termina.

Nota: La broma favorita de algunos caseros es de ofrecer paga a inquilinos que viven por mucho tiempo para que la saquen la basura. El inquilinos acepta hacer el trabajo. Después de un corto tiempo el casero despide el inquilino y trata de desahuciarlo.

Si la Ley de Desahucio por Causa Justa aplica tu no puedes ser desahuciado por ninguna otra razón!

Sepa Sus Derechos

Si usted paga renta, usted tiene algunos derechos bajo leyes locales y estatales, que usted debe de saber. Algunas de estas leyes tratan con subidas de rentas, algunas con condiciones de su apartamento, otras con depositos de seguridad y otros intereses.

La ley estatal que deletrea sus derechos se llama "Verdad en Rentar" ley. Fue pasada en 1976. Copias de la ley estan supuestas a ser dadas a los nuevos inquilinos por el dueño. Si el dueño no ase esto el o ella tiene que pagar una multa de \$100.

Si usted quiere una copia de la ley de Verdad en Renta (en español) es adquirible de: HUD Tenants' Coalition, (201) 589-3353, \$1.50.

La ley local que cubre los derechos de inquilinos es la ley de control de rentas de Newark. Esta ley fue pasada en 1973, aunque ha estado cambiada varias veces. Copias estan disponibles de el Newark Rent Control Board, 733-3675, por el costo de copia.

Tambien hay una clave de Ciudad de enforzar la ley y leyes de Departamento de Salud que proteje los inquilinos.

Este articulo describe algunos de los derechos que usted tiene como inquilino. Mas no incluye toda ley que se relacione con los inquilinos. Podrian haber leyes que se aplicarian solamente a su caso particular, o preguntas que no son contestadas aqui.

Si usted es un inquilino confrontando una acción legal, usted debe de consultar un abogado. Si tiene que ir a la corte debe de tener un abogado que lo represente. Mas, solo porque una ley existe, no quiere decir va a ser enforada. Los inquilinos deben trabajar juntos.

Aumentos de Rentas

Bajo la ley de control de rentas de Newark, el aumento anual que un dueño de casa puede aumentar legalmente es limitada. Si el edificio tiene 50 apartamentos o mas, el dueño puede aumentar la renta 4% sin tener permiso de la Junta de Control de Rentas. Si el edificio tiene 49 apartamentos o menos, el dueño puede aumentar el 5%. Si su renta a aumentado mas de

el porcentaje permitido, usted debe de poner una queja con la Junta de Control de Rentas. Tambien el dueño tiene que darle una nota escrita de su aumento de renta por lo menos un mes (30 dias) antes de tener que pagar la nueva renta.

El dueño solamente puede aumentar mas si aplica a la Junta de Control de Rentas de Newark, y usted tiene que ser notificado si esto paso.

Es importante saber que **no todos** los edificios en Newark estan cubiertos por la ley local de Control de Rentas. Esto ha cambiado sobre los años, pero actualmente edificios de una, dos, tres, y cuatro familias, donde el dueño vive, **no son cubiertas**. Viviendas publicas no son cubiertas. Muchos inquilinos viviendo en edificios privados subsidiados por el gobierno no son cubiertos.

Si usted no esta cubierto por el control de Rentas, aun hay algunos puntos legales para desafiar un aumento de rentas si el aumento que quiere el dueño es "inconsiderable." Esto quiere extremamente alto o no razonable. Usted necesitara un abogado para ir a la corte y pelear el aumento.

Deposito de Seguridad

Bajo ley estatal, el deposito de seguro que usted le da al dueño cuando usted renta el apartamento sigue siendo suyo, el inquilino. El dueño es requerido a depositar el dinero en el banco donde ganara interés. El deposito no se puede mezclar con el dinero de el dueño. El dueño tiene que mandarle una nota de donde su dinero de seguridad fue depositado, y usted debe de recibir el interes todos los años (o el interes se puede poner para pagar la renta). Se el inquilino se muda, el dueño tiene que devolverle el dinero de seguridad dentro de 30 dias. Si esto no pasa usted puede ira corte para obtener su dinero de vuelta.



Si usted vive donde el dueño ocupa en un edificio de 2, o 3 familias, usted tiene que mandarle al dueño una carta preguntando acerca de su deposito de seguridad para que sea cubierto por la ley.

Calefacción y Aire Acondicionado

Bajo ley estatal, edificios con 3 o mas apartamentos tiene que proveer caliente en todos los cuartos. La temperatura tiene que ser por lo menos 68 grados F. entre las horas 6 AM y 11 PM, por lo menos 65 grados F., entre 11 PM y 6 AM de Octubre 1 de Mayo 1. (La unica excepci3n es cuando el inquilino y el dueño han acordado que el inquilino se dara su propio caliente, y donde el tipo de calor se puede cobrar separadamente).

Tambien con la ley de calor, las leyes locales de salud de Newark (1988) dice que si el dueño esta obligado a proveer aire acondicionado en un edificio, debe de darse de Mayo 15 a Sept. 15 sin tener un eventa la temperatura de afuera. Los dueños que rompen las leyes de calor o aire acondicionado estan expuestos a multas de \$1000 por dia, y posiblemente carcel.

Elevadores Funcionando

Las ley local dice que en un edificio con elevador, si el elevador no esta trabajando, el dueño es sujeto a multas de \$1000 por dia, a menos que el servicio de el elevador sea reparado en 48 horas despues que la violaci3n ha sido reportada.

Seguridad

Bajo las leyes locales, todo edificio que tiene mas de 75 apartamentos, tiene que tener un guardia de seguridad armado o un hombre de puerta en el edificio 24 al dia.

Guarda De Ventanas

Bajo leyes locales de Newark, guardas de ventanas tienen que ser puestos en cualquier apartamento con ventanas mas de 6 pies sobre tierra donde niños de 6 meses a 10 años de edad viven. El dueño se requiere que mande cartas a los inquilinos a ver si niños de esta edad viven ahi. El Director die Control de Uso de Tierra es responsable de notificar a los dueños de esta ley. Si la ley es rota, el dueño puede ser multado hasta \$1000 al dia o puesto en la carcel.

Conseguir que le Arregler su Hogar

Bajo la ley el inquilino puede "Reparar y Reducir". Esto quiere decir que despues que el inquilino haya notificado al dueño por escrito el problema de su apartamento y no haya sido reparado "con un tiempo" el inquilino puede pagar para las reparaciones o hacerlas el mismo y guardas talos los recibos y luego reducirlos de la renta. Este procedimiento debe de ser usado con mucho cuidado. Debe de hablar con un abogado antes de hacerlo.

Algunas de las reparaciones requeridas en lo apartamento son violaciones de salud, por ejemplo, ratones, cucarachas, goteras de agua o falta de calefacci3n. Usted puede llamar al Departamento de Salud para que inspeccionar su edificio y llenen un "complaint" en contra el dueño. Si el no hace arreglos en un tiempo razonable puede ser llevado a corte. Si usted llama para una inspeccion, usted debe de averiguar el resultado, y conseguir una copia del reporte de inspecci3n, y saber cuando el caso va a corte y estar presente.

Hay otras formas de conseguir que el dueño arregle. Una buena regla es tomar fotos de el problema y ponerlas dias y informale al dueño por escrito. Recuerde mantener copias de todo.

Los inquilinos tienen mas suerte en parar un ingreso de renta, o conseguir reparaciones, cuando ellos trabajan juntos, tenian reuniones con los inquilinos o con otros organizaciones como la "HUD Tenants Coalition."

Retaliacci3n

La ley de Newark dice que ningun dueño debe de desaoljar a un inquilino por que el o ella este tratando de enforzar las leyes en su edificio. De echo el dueño no va admitir que esta es la situaci3n. Por eso es que es importante mantener todos los recibos, copias de correspondias para tener un caso que presentar. La ley de estado, "Landlord/ Tenant Reprisal Act", tambien protege al inquilino.

Para mas informaci3n, llamar: 589-3353.

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¿Habla Español?

Información acerca de sus derechos legales como inquilino esta disponible en español. Para recibir este material y noticias acerca de nuestras reuniones y talleres para inquilinos, llame al (201) 344-7210

Mire a la paginas 14 y 19 para los articulos en español acerca sus derechos como inquilinos.

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*"Together we can move mountains.
Alone, we can't move at all."*